

PLANNING COMMISSION REPORT



MEETING DATE: May 12, 2004

ITEM NO. _____ GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT **Clinton Street Right-of-Way Abandonment - 6-AB-2004**

REQUEST Request to consider the following:

1. Abandon 390+/- feet of right-of-way for Clinton Street east of 85th Place.
2. Reserve a public utility easement over, under, and across the abandoned right-of-way.
3. Reserve an emergency and service vehicle access easement over and across the north half of the abandoned right-of-way.

Key Issues.

- The north and south halves of the public street will assumed by the adjacent respective property owners and become private property.
- Emergency access and public utility easements will be reserved.
- A new curb along 85th Place will be extended over the T-intersection to distinguish the public street from the private property.
- There is no known opposition.

Related Cases:

Scottsdale Professional Offices on Shea
7-GP-2002, 14-ZN-2002, 26-DR-2004

ADJACENT OWNERS Richard Ames
Palmer Hart Building Group

APPLICANT CONTACT Stone E Wahl
A Team P A Inc
602-615-6243

LOCATION Clinton Street east of 85th Place

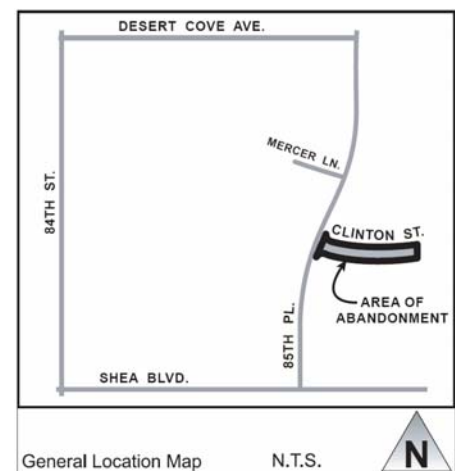
BACKGROUND

Background/Zoning.

This section of Clinton Street was dedicated with the Sundown Vista subdivision plat in 1957. This portion of Clinton Street provides access to 2 lots on the north side owned by Richard Ames, and 2 lots on the south side owned by Palmer Hart Building Group. The property on the north side is zoned Single Family Residential (R1-35) District, and the property on the south side was recently rezoned from R1-35 to Service Residential (S-R) District to construct a new office complex (cases 7-GP-2002, 14-ZN-2002).

Context.

The property on the north side of Clinton Street is a single-family residence with equestrian uses, and the property on the south side contains four vacant single-family homes. There is an existing retail commercial center to the east



and an office development to the west; neither of which uses Clinton Street for access. The existing residential properties to the north get access from 85th Place.

APPLICANT'S
PROPOSAL

Goal/Purpose of Request.

This is a request to abandon 390 +/- feet of right-of-way for Clinton Street east of 85th Place. The north and south halves of the public street will assumed by the adjacent respective property owners and become private property. The north property owner will use the north half of the abandoned right-of-way as a driveway and to expand the buildable area. The south property owner will incorporate the south half of the abandoned right-of-way to redevelop the site into a new office complex. The new office complex for the south property will have access from Shea Boulevard and from the commercial center to the east.

IMPACT ANALYSIS

Community Impact.

Emergency access and public utility easements will be reserved over the abandoned right-of-way. Both applicants have agreed to construct a new curb along 85th Place to be extended over the T-intersection to distinguish the public street from the private property, which will be done with the office development plans. The proposal only impacts the two adjacent property owners (applicants) and will not impact emergency access or utility rights. The abandoned right-of-way will be assumed by the adjacent property owners and incorporated into their development projects.

Community Involvement.

There was extensive public involvement during the recent rezoning process for the office complex on the south side of Clinton Street, and the surrounding neighborhood was again notified of the abandonment application. The only comments received were phone calls from two neighbors supporting this request and supporting the redevelopment of the property on the south side of Clinton Street. There have been no other comments regarding this case.

Departmental Responses.

City Department/Division participants concur with this abandonment request. See Department Issues Checklist (Attachment #1).

STAFF
RECOMMENDATION

Recommended Approach:

Staff recommends approval of the public street abandonment, subject to the following stipulations:


1. Reserve a public utility easement over, under, and across the abandoned right-of-way.
2. Reserve an emergency vehicle access easement over and across the north half of the abandoned right-of-way. An emergency vehicle turn-around shall be constructed on the north property, to the satisfaction of Rural Metro/City Fire Dept.
3. A new curb along 85th Place shall be constructed over the T-intersection for drainage purposes and to distinguish the public street from the private property. Curb design shall be approved by the City Transportation Department.
4. The two lots on the north side of the Clinton Street tied together, and the two lots on the south side of Clinton Street shall be tied together.

RESPONSIBLE Planning and Development Services Department

DEPT(S)

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APPROVED BY



Tim Curtis

Report Author



Kurt Jones, AICP
Current Planning Director

ATTACHMENTS

1. Departmental Checklist
2. Context Aerial
3. Detail Aerial
4. Area Trails Plan
5. Applicants' Narrative
6. Abandonment Area

CASE 6-AB-2004

Department Issues Checklist

Transportation

☒ **Support**

The proposal only impacts the two adjacent property owners (applicants) and will not impact emergency access. A new curb along 85th Place will be extended over the T-intersection for drainage and to distinguish the public street from the private property (design subject to approval by the City's Transportation Department).

Trails

☒ **Support**

The Trail Master Plan has no requirement for a trail in this right-of-way.

Adjacent Property Owner Notification

☒ **Support**

Surrounding property owners were notified and will not be impacted by the abandonment of this right-of-way.

Public Utilities

☒ **Support**

Letters of support from the affected public utility companies are on file with the City of Scottsdale subject to a public utility easement reservation for utilities.

Emergency/Municipal Services

☒ **Support**

This request does not impact the ability to provide emergency or other municipal services to the adjacent properties or surrounding area. Access will be reserved and constructed on the north half of the right-of-way for emergency vehicles.

Water/Sewer Services

☒ **Support**

Water and sewer services have no objection to the abandonment subject to a public utility easement reservation for these utilities.

Drainage

☒ **Support**

The abandonment will have no impact on drainage. A new curb along 85th Place will be extended over the T-intersection for drainage.



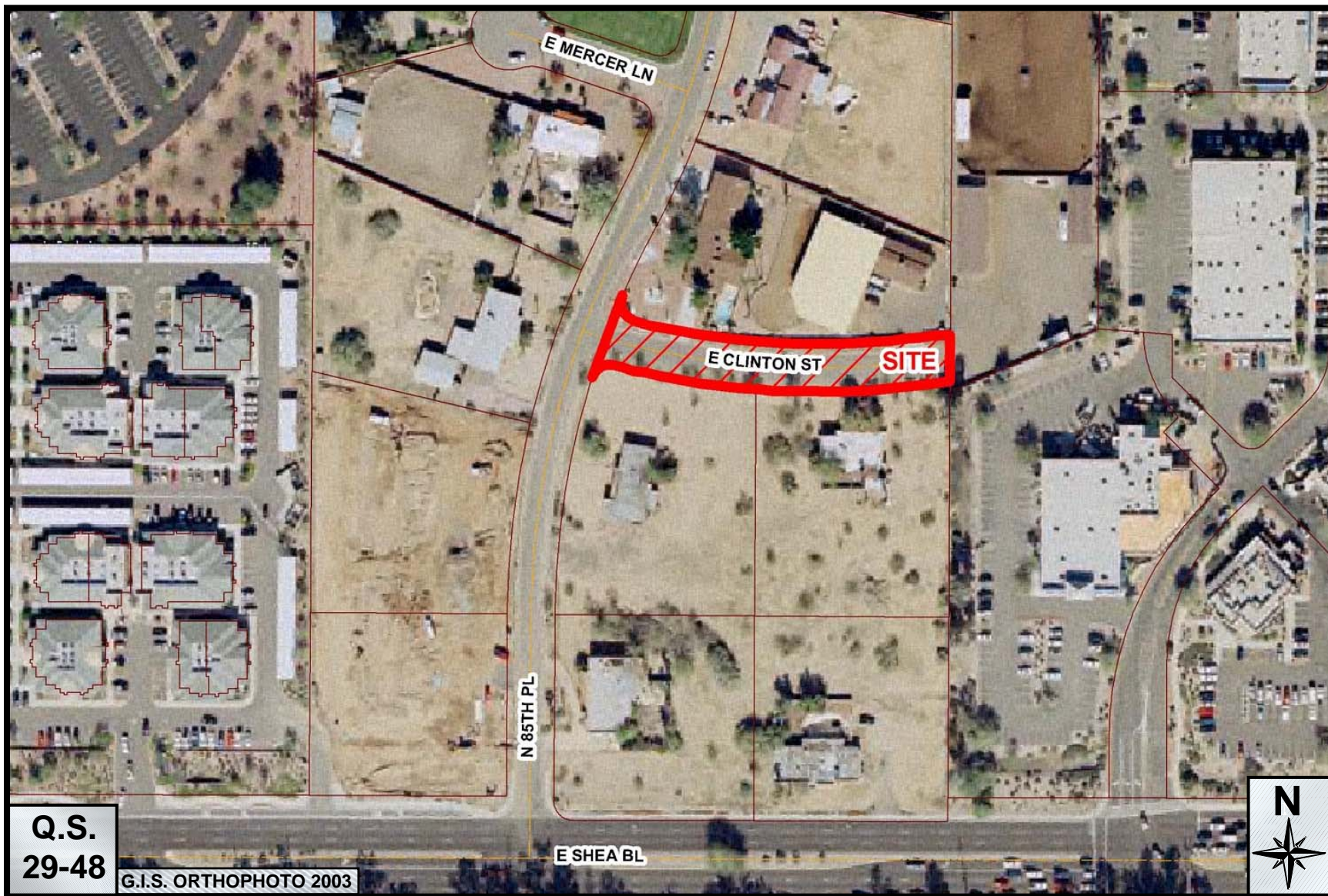
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29-48

G.I.S. ORTHOPHOTO 2003

Clinton Street
(Right-of-way Abandonment)

6-AB-2004

ATTACHMENT #2



Clinton Street
(Right-of-way Abandonment)

6-AB-2004

ATTACHMENT #3

85th Place and Shea Area Trails



PROJECT NARRATIVE

DATE: April 6, 2004

RE: CLINTON STREET R/W ABANDONMENT

This project involves two owners, Richard J. Ames and Palmer/Hart Building Group, Inc.

Richard J. Ames owns assessor parcel numbers 175-64-005 (lot 5 of Sundown Vista, Bk. 72, Pg. 27, MCR), 175-64-006 (lot 6 of Sundown Vista Bk. 72, Pg. 27, MCR) & 175-29-001E (Inst. No. 93-852647, MCR) all of which are north Clinton Street (the proposed R/W Abandonment).

Palmer/Hart Building Group, Inc. owns assessor parcel numbers 175-64-001 thru 004 (lots 1 thru 4 of Sundown Vista, Bk. 72, Pg. 27, MCR) all of which are south of Clinton Street.

Said owners are jointly involved in this R/W Street Abandonment for the purposes of future development of different natures respectively. The future development has been put on hold and is awaiting the acceptance of this R/W Street Abandonment by the City of Scottsdale.

Mr. Richard J. Ames has future plans of a Lot Assemblage involving the three parcels previously mentioned in order to conform to setbacks and other potential conflicts. Palmer/Hart Building Group, Inc. has plans to combine all four parcels and develop an office complex called "Scottsdale Professionals on Shea".

Palmer/Hart Building Group, Inc. intends to develop on all of the south half of the R/W of Clinton Street. Mr. Richard J. Ames intends to create and hold the north half of the R/W of Clinton Street as an ingress/egress easement and if needed a public utility easement as well, in order that he may commute to and from 85th Place to his parcel at the far east end of Clinton Street (where it currently terminates). Mr. Richard J. Ames will also provide a turn-around easement for Metro Rural as shown on the farthest easterly parcel in exhibit drawings.

EXHIBIT "A"

LOT 5
SUNDOWN VISTA,
BK. 72, PG. 27, MCR.

EAST LINE OF
SUNDOWN VISTA

LINE TABLE		
LINE	LENGTH	BEARING
L1	25.00'	S00°03'32"E
L2	25.00'	N00°03'22"W

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD DIR.	CHORD DIST.
C1	25.44'	180.00'	8°05'52"	12.74'	S85°53'32"W	25.42'
C2	338.15'	826.26'	23°26'54"	171.47'	S86°25'57"E	335.79'
C3	48.40'	850.16'	3°15'44"	24.21'	S21°27'55"W	48.40'
C4	34.78'	20.00'	99°38'23"	23.68'	S26°43'25"E	30.56'
C5	302.25'	801.26'	21°36'47"	152.94'	S87°21'00"E	300.46'
C6	28.97'	205.00'	8°05'52"	14.51'	S85°53'32"W	28.95'
C7	149.97'	851.26'	10°05'38"	75.18'	S80°54'54"E	149.78'
C8	181.18'	851.26'	12°11'40"	90.93'	N87°56'26"E	180.84'
C9	21.91'	155.00'	8°05'51"	10.97'	S85°53'31"W	21.89'
C12	44.35'	850.16'	2°59'19"	22.18'	S18°20'23"W	44.34'
C13	30.47'	20.00'	87°17'11"	19.07'	S60°29'19"W	27.61'

LOT 3
SUNDOWN VISTA,
BK. 72, PG. 27, MCR.

LOT 4
SUNDOWN VISTA,
BK. 72, PG. 27, MCR.

EAST LINE OF
SUNDOWN VISTA

SCALE 1"=50'

